

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

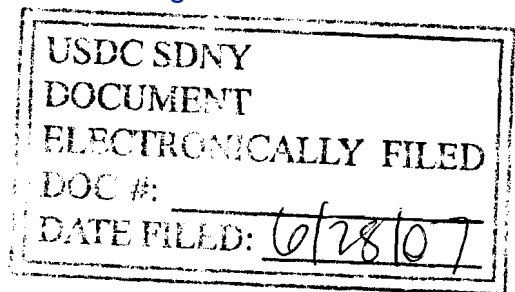
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GREENTREE STEUBEN, LLC,

Plaintiff,

-against-

LOCAL 670 STATIONARY ENGINEERS, FIREMEN,
MAINTENANCE AND BUILDING SERVICE UNION,
R.W.D.S.U.,

Defendant. x



Case No. 07 CV 5768

**STIPULATION AND
ORDER**

IT IS HEREBY STIPULATED BY AND BETWEEN THE UNDERSIGNED
COUNSEL FOR THE RESPECTIVE PARTIES HERETO AS FOLLOWS:

1. Plaintiff voluntarily withdraws the above captioned action without attorney's fees or costs as against any party or its counsel.
2. Defendant withdraws the arbitration it commenced, against Greentree Steuben, before the New York State Employment Relations Board bearing case No. MS 27057 without costs or attorney's fees as against any party or its counsel.
3. Defendant and its agents shall not commence or continue an arbitration proceeding against Greentree Steuben, LLC unless it has proceeded with or commenced an arbitration against the seller to Greentree Steuben of the premises 195 and 231 Steuben Street, Staten Island, New York (the "Premises"), on the issue of whether the seller failed to get the purchaser of the Premises to assume a collective bargaining agreement covering employees at the Premises, and such arbitration has been fully determined and the time to obtain a final award including any motion to confirm or vacate the award has expired.

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4. Defendant shall provide Plaintiff a copy of any arbitration award rendered in an arbitration against the seller to Greentree Steuben of the Premises within ten (10) calendar days of Defendant's receipt of any such award or prior to the commencement of an arbitration against Plaintiff, whichever is earlier, or as mutually agreed between counsel for the parties to this stipulation and order.

Dated: New York, New York
June 28, 2007

LAW OFFICES OF RICHARD M.
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Attorneys for Defendant

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Dated: New York, NY
June 28, 2007

SO ORDERED:


U.S.D.J.